

**FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLAN  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS**

**RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PM & S  
FORM**

As a below named Inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED Nucleotide sequences coding for the export of branched-chain amino acids, process for the isolation thereof and use thereof

the specification of which (CHECK applicable BOX(ES))

A.  is attached hereto.  
 BOX(ES) → B.  was filed on December 23, 1999 as U.S. Application No. 09/471,803  
 → C.  was filed as PCT International Application No. PCT/ / on and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

**PRIOR FOREIGN APPLICATION(S)**

<u>Number</u>	<u>Country</u>	<u>Date/Month/Year Filed</u>	<u>Date first Laid-open or Published</u>	<u>Date Patented or Granted</u>	<u>Priority NOT Claimed</u>
199 51 708.8	Germany	27 October 1999			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

**PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)**

<u>Application No. (series code/serial no.)</u>	<u>Date/Month/Year Filed</u>	<u>Status</u>	<u>Priority NOT Claimed</u>
		pending, abandoned, patented	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	Dale S. Lazar	28872	Mark G. Paulson	30793	W. Patrick Bengtsson	32456
Raymond F. Lippitt	17519	Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Jack S. Barufka	37087
G. Lloyd Knight	17698	Glenn J. Perry	28458	Paul F. McQuade	31542	Adam R. Hess	41835
Carl G. Love	18781	Kendrew H. Colton	30368	Ruth N. Morduch	31044	William P. Atkins	38821
Kevin E. Joyce	20508	G. Paul Edgell	24238	Richard H. Zaitlen	27248	Paul L. Sharer	36004
George M. Sirilla	18221	Lynn E. Eccleston	35861	Roger R. Wise	31204		
Donald J. Bird	25323	Timothy J. Klima	34852	Jay M. Finkelstein	21082		
Peter W. Gowdey	25872	David A. Jakopin	32995	Michael R. Dzwonczyk	36787		

(1) INVENTOR'S SIGNATURE: *Nicole Kennerknecht*

Date: 3/20/00

First:	Middle/Initial:	Family Name:
Residence	Germany	Germany
Post Office Address	Sudwall 68, DE-47798 Krefeld, Germany	City: State/Foreign Country: Country of Citizenship:
(include Zip Code)		

(2) INVENTOR'S SIGNATURE: *Hermann Jahn*

Date: 3/17/00

First:	Middle/Initial:	Family Name:
Residence	Germany	Germany
Post Office Address	Wendelinusstrasse 71, D-52428 Julich, Germany	City: State/Foreign Country: Country of Citizenship:
(include Zip Code)		

FOR ADDITIONAL INVENTORS, "X" box  and proceed on the attached page to list each additional inventor.

See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PM265496

(M#)

## DECLARATION AND POWER OF ATTORI

(continued)

## ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Lothar Eggeling

Date: 3/17/06

First	Middle Initial	Family Name
Residence	Julich	Germany
City	State/Foreign Country	
Post Office Address (include Zip Code)	Eisenkamp 6, D-52428 Julich, Germany	

(4) INVENTOR'S SIGNATURE:

Walter Pfefferle

Date:

First	Middle Initial	Family Name
Residence	Halle	Germany
City	State/Foreign Country	
Post Office Address (include Zip Code)	Jahnstrasse 33, D-33790 Halle, Germany	

(5) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	
Post Office Address (include Zip Code)		

(6) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	
Post Office Address (include Zip Code)		

(7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	
Post Office Address (include Zip Code)		

(8) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	
Post Office Address (include Zip Code)		

(9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	
Post Office Address (include Zip Code)		

**DECLARATION AND POWER OF ATTORNEY**  
 (continued)  
ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date:

First:	Lothar	Middle Initial:	Eggeling	Family Name:
Residence:	Julich	Germany		Germany
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)	Eisenkamp 6, D-52428 Julich, Germany			

Date: *03/20/2000*

(4) INVENTOR'S SIGNATURE:

Pfefferle

First:	Walter	Middle Initial:	Pfefferle	Family Name:
Residence:	Halle	Germany		Germany
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)	Jahnstrasse 33, D-33790 Halle, Germany			

(5) INVENTOR'S SIGNATURE:

Date:

First:		Middle Initial:		Family Name:
Residence:				
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)				

(6) INVENTOR'S SIGNATURE:

Date:

First:		Middle Initial:		Family Name:
Residence:				
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)				

(7) INVENTOR'S SIGNATURE:

Date:

First:		Middle Initial:		Family Name:
Residence:				
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)				

(8) INVENTOR'S SIGNATURE:

Date:

First:		Middle Initial:		Family Name:
Residence:				
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)				

(9) INVENTOR'S SIGNATURE:

Date:

First:		Middle Initial:		Family Name:
Residence:				
City:	State/Foreign Country:			Country of Citizenship:
Post Office Address (include Zip Code)				



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JUNE 20, 2000

PTAS

PILLSBURY, MADISON & SUTRO, LLP  
ANN S. HOBBS  
INTELLECTUAL PROPERTY GROUP  
1100 NEW YORK AVENUE, N.W., NINTH FLOOR  
WASHINGTON, D.C. 20005-3918



\*101332424A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/17/2000

REEL/FRAME: 010709/0702  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

KENNERKNECHT, NICOLE

DOC DATE: 03/20/2000

ASSIGNEE:

SAHM, HERMANN

DOC DATE: 03/17/2000

ASSIGNEE:

EGGELING, LOTHAR

DOC DATE: 03/17/2000

ASSIGNEE:

PFEFFERLE, WALTER

DOC DATE: 03/20/2000

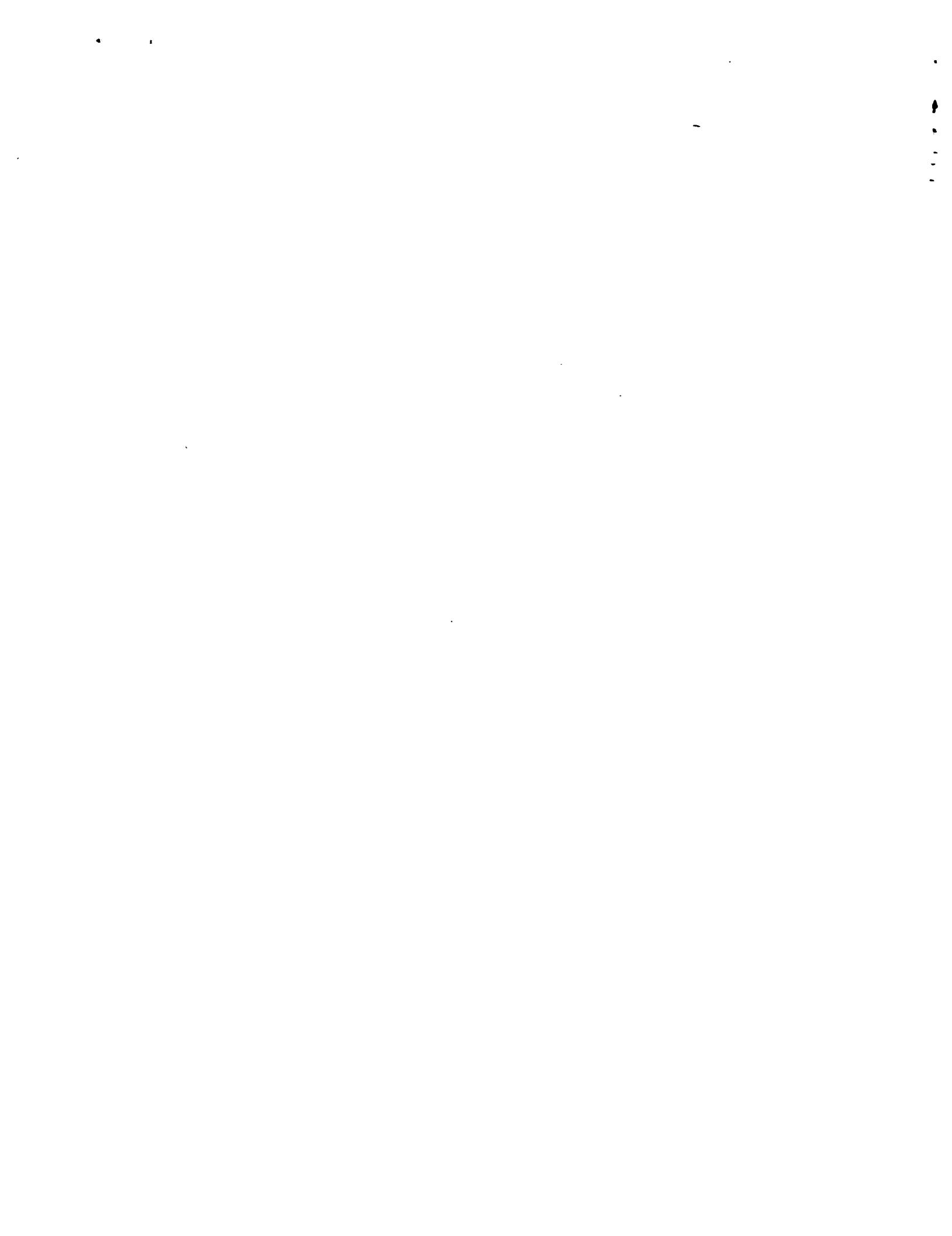
ASSIGNEE:

DEGUSSA-HULS AKTIENGESELLSCHAFT  
D-60287 FRANKFURT AM MAIN  
FED  
REP GERMANY

PILLSBURY MADISON & SUTRO  
RECEIVED  
JUN 28 2000  
REVERSED  
WASHINGTON, D.C.

ASSIGNEE:

FORSCHUNGSZENTRUM JULICH GMBH  
D-52425 JULICH, FED REP GERMANY



BOX ASSIGNMENTS

04/17/01

04-24-2000

DO NOT USE FOR TRADEMARKS

TO THE ASSISTANT COMMISSIONER OF  
SIR: PLEASE RECORD THE ATTACHED O.

101332424

OF.

## 1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

- |                        |                     |
|------------------------|---------------------|
| 1. Nicole Kennerknecht | 2. Hermann Sahm     |
| 3. Lothar Eggeling     | 4. Walter Pfefferle |
| 5.                     | 6.                  |
| 7.                     | 8.                  |

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED?  YES  NO

## 2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: (1) Degussa-Huls Aktiengesellschaft and (2) Forschungszentrum Julich GmbH

ADDRESS: (1) D-60287 Frankfurt am Main, Germany and (2) Forschungszentrum Julich GmbH, D-52425 Julich, Germany

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED?  YES  NO

## 3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> ASSIGNMENT OF | <input checked="" type="checkbox"/> WHOLE     | <input type="checkbox"/> PART INTEREST |
| <input type="checkbox"/> ORIGINAL                 | <input type="checkbox"/> FACSIMILE/PHOTOCOPY  |  |
| <input type="checkbox"/> CHANGE OF NAME           | <input type="checkbox"/> VERIFIED TRANSLATION |  |
| <input type="checkbox"/> SECURITY                 | <input type="checkbox"/> MERGER               | <input type="checkbox"/> OTHER:        |

EXEC. DATE: March 17 and 20, 2000

EXECUTION DATE(S) ON THE DECLARATION IF FILED HEREWITH: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!)

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached?  YES  NO

A. PAT. APP. NO.(S) series code/serial no	M#	1 <sup>st</sup> INVENTOR if not in item 1	B. PATENT NO(S)	M#	1 <sup>st</sup> INVENTOR if not in Item 1
09/471,803	265496				

5. Name & Address of Party to Whom Correspondence  
Concerning Document Should be Mailed:

Pillsbury Madison & Sutro LLP  
Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

6. NUMBER INVOLVED:  
APPLNS 1 + PATS 0 = TOTAL 17. AMOUNT OF FEE ENCLOSED: (Code 581)  
ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:	8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975 UNDER ORDER NO 21123 265496		
PMS 265496	990131BT	dup. sheet not required	CLIENT NO. MATTER NO.

## 9. STATEMENT AND SIGNATURE.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Signature

Attorney: Ann S. Hobbs

Reg. No. 36830

Atty/Sec: ASH/maf

TEL: (202) 861-3063

10. Total number of pages including this  
cover sheet, attachments and document  
(do not file dup. Cover sheet)

3

Date: April 17, 2000

FAX: (202) 822-0944

FILE WITH PTO RETURN RECEIPT (PAT-103A)

04/19/2000 ASAHLE 00000020 09471803

01 FC:581

40.00 OP

Please return signed/recorded to:

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Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

USA Patent Appln.  
Sole or Joint

Inventions made outside USA  
executed with or after application

Atty. Dkt. PMS 265496 990131BT

M# Client Ref.

NONPROVISIONAL

**ASSIGNMENT  
OF NONPROVISIONAL APPLICATION**

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT NAME(S) OF INVENTOR(S)	(1) Nicole Kennerknecht (3) Lothar Eggeling (5)	(2) Hermann Sahm (4) Walter Pfefferle <input type="checkbox"/> x box if continued on page 2
-------------------------------------	---	---

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT NAME(S) OF ASSESSOR(S) & ADDRESS(ES)	(1) Degussa-Huls Aktiengesellschaft D-60287 Frankfurt am Main, Germany
	(2) Forschungszentrum Jülich GmbH D-52425 Jülich, Germany

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF INVENTION	Nucleotide sequences coding for the export of branched-chain amino acids, process for the isolation thereof and use thereof
-----------------------	---

for which the undersigned executed an application for Letters Patents of the United States of America:

NOTE → → (Complete line A, B and/or C)	(A) <input type="checkbox"/> even date herewith (B) <input type="checkbox"/> on _____ (C) <input checked="" type="checkbox"/> in U.S. Appln. No. 09/471,803 filed December 23, 1999
--	---

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

NOTE → → The undersigned hereby authorize(s) Pillsbury Madison & Sutro LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

	INVENTORS	DATE SIGNED	WITNESSES
1):	Nicole Kennerknecht	3/20/00	Annelie Förstel
Name:	Nicole Kennerknecht		
2):	Hermann Sahm	3/17/00	Annelie Förstel
Name:	Hermann Sahm		
3):	Lothar Eggeling	3/17/00	Annelie Förstel
Name:	Lothar Eggeling		
4) Name:	Walter Pfefferle		
Name:	Walter Pfefferle		
5) Name:			
Name:			

Please return signed/recorded to:

Pillsbury Madison & Sutro LLP  
Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

USA Patent Appln.  
Sole or Joint

Inventions made outside USA  
executed with or after application

Atty. Dkt. PMS 265496 990131BT

M# Client Ref.

NONPROVISIONAL

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OF NONPROVISIONAL APPLICATION**

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT NAME(S) OF INVENTOR(S)	(1) Nicole Kennerknecht (3) Lothar Eggeling (5)	(2) Hermann Sahm (4) Walter Pfefferle <input type="checkbox"/> x box if continued on page 2
-------------------------------------	---	---

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT NAME(S) OF ASSENEE(S) & ADDRESS(ES)	(1) Degussa-Huls Aktiengesellschaft D-60287 Frankfurt am Main, Germany
	(2) Forschungszentrum Julich GmbH D-52425 Julich, Germany

(hereinafter designated "ASSENEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF INVENTION	Nucleotide sequences coding for the export of branched-chain amino acids, process for the isolation thereof and use thereof
-----------------------	---

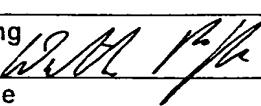
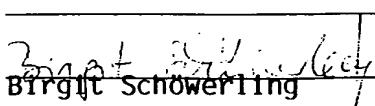
for which the undersigned executed an application for Letters Patents of the United States of America:

NOTE → → (Complete line A, B and/or C)	(A) <input type="checkbox"/> even date herewith (B) <input type="checkbox"/> on _____ (C) <input checked="" type="checkbox"/> in U.S. Appln. No. 09/471,803 filed December 23, 1999
--	---

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSENEE, for its interest as ASSENEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSENEE;

AND the undersigned hereby agree(s) to testify and execute any papers for ASSENEE, its successors, assigns and legal representatives, deemed essential by ASSENEE to ASSENEE'S full protection and title in and to the invention hereby transferred.

NOTE → → The undersigned hereby authorize(s) Pillsbury Madison & Sutro LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

	<u>INVENTORS</u>	<u>DATE SIGNED</u>	<u>WITNESSES</u>
1):	Name: Nicole Kennerknecht		
2)	Name: Hermann Sahm		
3)	Name: Lothar Eggeling		
4) Name:		03/29/2000	
Name:	Walter Pfefferle		
5) Name:			
Name:			

**TRANSLATOR'S DECLARATION**

I, Paul David Churchill Clarke, B.A., MITI., translator to Messrs. Taylor and Meyer of 20 Kingsmead Road, London, SW2 3JD, Great Britain, verify that I know well both the German and the English language, that I have prepared the attached English translation of 37 pages of a German Patent application in the German language with the title:

Für den Export verzweigtkettiger Aminosäuren kodierende Nukleotidsequenzen, Verfahren zu deren Isolierung und ihre Verwendung

identified by the code number 990131 BT at the upper left of each page and that the attached English translation of this document is a true and correct translation of the document attached thereto to the best of my knowledge and belief.

I further declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that wilful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of this document.

Date: 10 January 2000

By: P.D.C. Clark.